

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**DANNY BRIDGEWATER, Individually and on  
behalf of all Others Similarly Situated; and  
COTY DAVID, Individually**

**PLAINTIFFS**

vs.

No. 5:15-cv-975-RP

**GES GLADIATOR ENERGY SERVICES TEXAS, LLC;  
LA CHEMICAL, LLC; and STEVEN "CLOY" GANTT,  
Individually and as an Officer of GES GLADIATOR  
ENERGY SERVICES TEXAS LLC, and LA CHEMICAL, LLC**

**DEFENDANTS**

**NOTICE OF RIGHT TO JOIN LAWSUIT**

FROM: Mr. Josh Sanford  
SANFORD LAW FIRM, PLLC  
One Financial Center  
650 South Shackleford Road, Suite 411  
Little Rock, Arkansas 72211  
Telephone: (501) 221-0088  
Facsimile: (888) 787-2040  
E-mail: [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com)  
Attorneys for Plaintiffs

TO: All former and current employees of GES Gladiator Energy Services Texas, LLC ("Gladiator"), who are or were employed as Supervisors at any time since November 8, 2012.

RE: Fair Labor Standards Act lawsuit against Gladiator.

(1) INTRODUCTION: The purpose of this notice is to inform you of a pending collective action lawsuit in which you may be a member as a Plaintiff; to advise you of how your rights may be affected by this suit; and to instruct you on the procedure for participating in this suit.

(2) DESCRIPTION OF THE LAWSUIT: Plaintiff Danny Bridgewater, former Supervisor for Gladiator, brought this suit on behalf of all former and current employees of Gladiator who were employed as Supervisors, and were

**EXHIBIT A**

misclassified as salaried employees and non-exempt from the requirements of the FLSA. Plaintiff alleges that Gladiator violated the FLSA when it failed to pay its Supervisors overtime as required by the FLSA.

Gladiator denies Plaintiff's claims and allegations. Gladiator asserts that they complied with the law, and that they properly compensated all of their employees for time worked.

The case is not yet set for trial. If the parties do not settle, the trial will be held at the United States District Court for the Western District of Texas in San Antonio, Texas. The Court has not ruled on or decided any of these issues, including the merits of the claims or defenses.

(3) COMPOSITION OF THE CLASS: Plaintiff seeks to sue on behalf of himself and on behalf of other individuals who were employed by Gladiator as salaried Supervisors at any time after November 8, 2012.

(4) YOUR RIGHT TO PARTICIPATE IN THIS SUIT: If you fit the definition above, you may join this suit (that is, you may opt-in) provided that you file or cause to be filed the attached Consent to Join Collective Action **on or before** \_\_\_\_\_, 2016.

Additional Consent to Join forms and information regarding the specific filing requirements are available from Plaintiffs' attorney, Josh Sanford, Sanford Law Firm, PLLC, One Financial Center, 650 South Shackleford Road, Suite 411, Little Rock, Arkansas 72211, (501) 221-0088, [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com).

(5) EFFECT OF JOINING THIS SUIT: If you choose to join this suit, you will be bound by the settlement of this case, or by any judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorney's fees directly. Plaintiffs' attorney will receive a part of any money judgment or settlement entered in favor of the class.

It is important to understand that you may not be entitled to recovery just because you were employed by Gladiator as a salaried Supervisor at some time after November 8, 2012. The Court will make a final decision about whether you are entitled to recover, and for what time period, if any, that you are entitled to recover.

(6) EFFECT OF NOT JOINING THIS SUIT: If you choose not to join this suit, you will not be affected by the settlement of this case, or by any judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against Defendants within the scope of the suit. If those deadlines

## EXHIBIT A

expire before you file your own lawsuit, you may lose your rights. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to preserve whatever rights you may have.

(7) CLASS COUNSEL: If you choose to join this suit, the named Plaintiffs through their attorney will represent your interests. Plaintiffs' attorney and the attorney for the class is:

Mr. Josh Sanford  
Sanford Law Firm, PLLC  
One Financial Center  
650 South Shackleford Road, Suite 411  
Little Rock, Arkansas 72211  
Telephone: (501) 221-0088  
Facsimile: (888) 787-2040  
E-mail: [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com)

You also have a right to hire your own attorney and pursue your potential claims individually. If you sign a Consent to Join you agree that attorney for the class will represent you in this case.

(8) FURTHER INFORMATION: Further information about this suit, your rights to join in this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting Josh Sanford at (501) 221-0088 or [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com).

(9) RETALIATION PROHIBITED: The law prohibits anyone from discriminating or retaliating against you for taking part in this case. If you believe you have been discriminated or retaliated against in any way as a result of your receipt of this notice or election to participate in this lawsuit, you should contact the Clerk of the Court, or your attorney immediately.